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MAR 03 2004

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To: Examiner Jane J. Rhee

USPTO

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Number of Pages (including cover sheet): 03

Date & Time Fired: Thursday, February 26, 2004 3:11:58 PM

Message:

Response for USSN 09/970,316 is attached.

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PATENT

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John D. Franzini, Reg. No. 31,356

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Steven D. Day, *et al.*
Application No.: 09/970,316
Filing Date: October 3, 2001
Title: BELLOWS WITH MOLDED PANELS
Group Art No: 1772
Examiner: Jane J. Rhee
Confirmation No.: 1889
Atty. Docket No.: 100075.90292

RESPONSE TO OFFICE ACTION OF 10/03/03

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Examiner and the undersigned had additional telephone interviews for this case on February 26, 2004. In those interviews, the Examiner stated that the reply filed January 27, 2004 was not deemed sufficient as it was not a reply to the prior office action of 10/03/03. It is respectfully submitted that in the prior interviews the Examiner and the undersigned established that neither of the Milani, et al. or Hennig references disclosed a bellows as claimed. It was determined that the Examiner, at the time she issued the final office action, understood "bellows" as including any pleated panel, but that as a result of the interviews she has come to understand "bellows" as a structure closed with pleated walls on its sides to permit expansion and contraction while maintaining the sides closed. It was determined and agreed in the interview that the prior art of record would not support the rejections as none of the relied upon references disclose or suggest a bellows as claimed, in view of the meaning of "bellows", and that an additional search would be needed. The Examiner requested that the paper filed January 27, 2004 be submitted to permit the withdrawal of the finality of the office action. It is respectfully requested that the January 27, 2004 submission be regarded as a request to

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U.S. Patent Application Serial No. 09/970,316
Art Unit: 1772
Page 2 of 2

withdraw finality of the office action, and that such finality be withdrawn, and a new action allowing the claims be issued.

No fees are believed due for filing this response, but if any additional fees are due, please charge them to deposit account no. 17-0055.

Respectfully submitted,
STEVEN D. DAY, *et al.*



By: _____

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